

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	
	)	CASE NO. CR04-416-RSM
Plaintiff,	)	
	)	
v.	)	SUMMARY REPORT OF U.S.
	)	MAGISTRATE JUDGE AS TO
BRIAN EDWARD KAUFFMAN,	)	ALLEGED VIOLATIONS
	)	OF SUPERVISED RELEASE
Defendant.	)	
_____	)	

An initial hearing on supervised release revocation in this case was scheduled before me on March 24, 2011. The United States was represented by AUSA Francis Franze-Nakamura for Lawrence Lincoln and the defendant by Chris Kerkering. The proceedings were digitally recorded.

Defendant had been sentenced on or about March 11, 2005 by the Honorable Ricardo S. Martinez on a charge of Possession with Intent to Distribute Methamphetamine, and sentenced to 60 months custody, five years supervised release. (Dkt. 28.)

The conditions of supervised release included the standard conditions plus the requirements that defendant cooperate in the collection of DNA, be prohibited from possessing a firearm, submit to mandatory drug testing, participate in a substance abuse program, abstain from alcohol, submit to search, and provide his probation officer with access to financial

01 information on request. On January 3, 2011, the conditions of supervised release were modified  
02 to require defendant to reside and satisfactorily participate in a residential reentry program for  
03 up to 180 days. (Dkt. 29.)

04 In an application dated March 22, 2011, (Dkt. 30, 31), U.S. Probation Officer Jonathan  
05 M. Ishii alleged the following violations of the conditions of supervised release:

06 1. Failing to reside in and satisfactorily participate in a residential reentry center  
07 program for up to 180 days, in violation of the special condition of supervised release.

08 2. Failing to abstain from the use of a controlled substance by consuming  
09 methamphetamine on or about March 21, 2011, in violation of the general condition of  
10 supervised release.

11 Defendant was advised in full as to those charges and as to his constitutional rights.

12 Defendant admitted the alleged violations and waived any evidentiary hearing as to  
13 whether they occurred.

14 I therefore recommend the Court find defendant violated his supervised release as  
15 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next  
16 hearing will be set before Judge Martinez.

17 Pending a final determination by the Court, defendant has been detained.

18 DATED this 24th day of March, 2011.

19   
20 Mary Alice Theiler  
21 United States Magistrate Judge  
22

cc: District Judge: Honorable Ricardo S. Martinez  
AUSA: Lawrence Lincoln  
Defendant's attorney: Chris Kerkering  
Probation officer: Jonathan M. Ishii